BEFORE THE INVESTIGATIVE PANEL OF THE FLORIDA JUDICIAL QUALIFICATIONS COMMISSION

INQUIRY CONCERNING A CASE NO.: SC002491

JUDGE, NO.: 00-211 HOWARD C. BERMAN

NOTICE OF TAKING DEPOSITION

TO: Thomas C. MacDonald, Jr., Esq. 100 North Tampa Street, Suite 2100, Tampa, FL 33602 Mrs. Brooke S. Kennerly, Executive Director, Florida Judicial Qualifications Commission, 1110 Thomasville Road, Tallahassee, FL 32303

John R. Beranek, Esq., 227 Calhoun, Tallahassee, FL 32301

Judy S. Hoyer, Esq., 4830 West Kennedy Blvd., Suite 550, Tampa, FL 33602

Honorable James Jorgenson, Chair, Hearing Panel, Florida Judicial Qualifications Commission, 1110 Thomasville Road, Tallahassee, FL 32303

Bettye J. King, Esq., 625 N. Flagler Drive, Suite 501, West Palm Beach, FL 33401 Sidney A. Stubbs, Esq., 505 N. Flagler Drive, Suite 1100, West Palm Beach, FL 33401

PLEASE TAKE NOTICE that the following deposition will be taken:

Date: August 31, 2001

Time: 10:00 a.m.

Place: James, Hoyer, Newcomer & Smiljanich

4830 West Kennedy Blvd, Suite 550

Tampa, FL 33609

Deponent: Robert Butler

upon oral examination, pursuant to Florida Rules of Civil Procedure, before Regency Reporting, or any other notary public or officer authorized by law to take depositions. Said depositions will be taken for the purposes of discovery, for use at trial (de bene esse) or for such other purpose as is permitted under the Rules which govern the conduct of the case.

I HEREBY CERTIFY that a true copy hereof has been furnished to the above named addressee(s) by U.S. Mail, this 30th day of August, 2001.

ATTERBURY, GOLDBERGER and RICHARDSON, P.A. 250 Australian Avenue South Suite 1400, One Clearlake Ctr. West Palm Beach, FL 33401 (561) 659-8300

By_____SCOTT N. RICHARDSON, ESQ.

FLA. BAR NO.: 266515